
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

JOHNNIE M. COOPER,

Plaintiff,

versus

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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CIVIL ACTION NO. 1:12-CV-358

**MEMORANDUM ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration. The magistrate judge submitted a report recommending that the Commissioner's decision denying plaintiff's application for social security benefits be reversed and remanded for further development of the record as to the plaintiff's respiratory impairment.

No party has filed objections to the magistrate judge's report. The Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge (#21) is **ADOPTED**.

The Commissioner's decision in this action is **REVERSED** and **REMANDED** in accordance with the magistrate judge's recommendation. The Court will issue final judgment separately, remanding this action to the Commissioner for rehearing under the fourth sentence of 42 U.S.C. § 405(g).

SIGNED at Beaumont, Texas, this 11th day of September, 2014.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE